Andree Greenberg - Fwd: RE: Saltworks Status Update

From:

Shin-Roei Lee

To:

Bruce Wolfe; Dyan Whyte; Thomas Mumley

Date:

5/4/2012 12:09 PM

Subject:

Fwd: RE: Saltworks Status Update

CC:

Andree Greenberg; Brian Wines; Dale Bowyer; Keith Lichten

Attachments: 120504.50-50 Withdrawal.PDF

Hi Bruce, Please see the attached letter from DMB to the Redwood City, which officially withdraws its original May 2009 50/50 plan to the City. The letter also states that DMB plans to resubmit a revised plan with a "much more limited footprint restricted to the area of greatest historic disturbance". That would be the crystallizer beds on the westerly part of the site.

>>> David Smith <DSmith@dmbpv.com> 5/4/2012 11:37 AM >>>

Forgive me, I also meant to attach a copy of the letter to the City officially withdrawing the dormant plan. It is attached.

DMB PACIFIC VENTURES

David C. Smith, Esq. | Senior Vice President | DMB Pacific Ventures, LLC 801 Montgomery Street, Suite 200 | San Francisco, California 94133 18800 Von Karman Avenue | Irvine, California 92612 mobile: 949-923-8170 | dsmith@dmbpv.com

From: David Smith

Sent: Friday, May 04, 2012 11:34 AM

To: Alexis Strauss (strauss.alexis@epa.gov); Brush.Jason@epamail.epa.gov; Hugh Barroll (Barroll, Hugh@epamail, epa, gov); Melissa Scianni; Jane Hicks (jane, m. hicks@usace, army, mil); Cameron Johnson (Cameron.L.Johnson@usace.army.mil); Katerina Galacatos (Katerina.Galacatos@usace.army.mil); Andree Breaux Greenberg (AGreenberg@waterboards.ca.gov); 'SRLee@waterboards.ca.gov'; 'steveg@bcdc.ca.gov'; 'bradm@bcdc.ca.gov'

Cc: barbara_ransom@cargill.com **Subject:** Saltworks Status Update

Greetings:

We just wanted to update you on Saltworks in light of some activity at Redwood City (see email below). As you know, we ceased activity in November 2011 on the proposal then pending at the City - the so-called "50/50 Balanced Plan," originally filed in May 2009. We formally notified the City to cease its own consideration of that proposal while we undertook a thorough examination of the comments received on the plan since its filing. As many of you know, we have also been reconsidering our regulatory approach related to processing the application. Our focus since halting consideration of the May 2009 plan has been on a much more consolidated footprint, expansion of restoration opportunities, and the appropriate regulatory strategy and process to facilitate that revised vision.

The Council felt prompted to take this action at this time, but we wanted to confirm that <u>nothing has changed</u> since our announcement last year. We continue with our internal analysis and fully plan to proceed as we have discussed. The following press coverage is, for the most part, accurate:

http://www.mercurynews.com/peninsula/ci 20545549/redwood-city-saltworks-project-will-be-scaled-back

Should any of you have any questions, please feel free to contact me. Otherwise, we will be in touch in the near future regarding our proposed direction on regulatory issues.

Sincerely, David Smith

DMB PACIFIC VENTURES

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From: MGR-Malcolm Smith [mailto:malcolm.smith@REDWOODCITY.ORG]

Sent: Thursday, May 03, 2012 1:53 PM

To: MGR-SALTWORKS-EXTERNAL@LISTSERV.REDWOODCITY.ORG

Subject: Council ad-hoc committee on Saltworks to recommend denial of project application

For Immediate Release 5/3/12

Contact: Robert Bell City Manager 650-780-7300

City Council's Ad Hoc Committee on Saltworks to Recommend Denial of Project Application

Redwood City, CA – <u>The City Council's ad-hoc committee</u> assigned to research and report on options regarding the Saltworks development application <u>will be recommending denial of the current application</u> when the issue comes to the City Council on May 7th. This recommendation is being made on the grounds that despite having an application on file with the City for three years, the <u>developer has yet to submit a complete project description</u> and therefore the <u>application remains incomplete</u> and <u>inactive</u>.

If the City Council follows the recommended action and denies the project, the City would stop all current processing actions. The committee also recommends not proceeding with a public vote on the issue at this time. Since the developer has indicated that the scope of the project is to be revised, it would not be a prudent use of City resources to gather public opinion about a project for which a completed description and application does not exist.

The committee further advises that if and when the developer presents a new and complete project application to the City, the City will determine whether and how to proceed on that application, at that time. The committee's full report will be available on the City's website by 5 pm on Thursday, May 3, 2012.

Denying the current application would not prevent DMB from pursuing a new application in the future. In the meantime, the property would remain subject to current General Plan designations that have been in place since 1990.

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The ad-hoc committee will be making its recommendations at the May 7th, 2012, City Council meeting, which begins at 7 pm in the Council Chambers at City Hall, 1017 Middlefield Road.

More information on the Saltworks proposal is available on the City's Web site at www.redwoodcity.org/saltworks.

(end)

(sent by)
Malcolm Smith
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May 4, 2012

The Honorable Alicia Aguirre Mayor THE CITY OF REDWOOD CITY City Hall 1017 Middlefield Road Redwood City, California 94063

> Re: Withdrawal of Pending Saltworks "50/50 Balanced Plan" Project Proposal, May 2009

Dear Mayor Aguirre,

We are aware the Redwood City City Council intends to review and discuss potential options regarding the Saltworks proposal on Monday, May 7. So as to avoid any unnecessary confusion, we write to clarify the status of the pending application, our intentions procedurally moving forward, and the revisions we intend for the future proposal.

Initially, we commend the City for its consistent and unyielding commitment to conduct an open, transparent, and fact-based environmental investigation of our proposal for the future of the Saltworks site, our "50/50 Balanced Plan," filed with the City in May 2009. As you publicly committed, you have managed a fair, exhaustive, and balanced process fully consistent with and, indeed, exceeding the mandates of state law. We find it saddening and ironic that those efforts have resulted in intense criticism of the City Council and staff, collectively and individually, from outside interests,

Your thorough and inclusive process produced a wealth of input, feedback, criticism, and vision from the community, stakeholders and regulators. As you know, in light of that tremendous response, we have been working for the last five months on a revised proposal for the Saltworks. In our efforts to complete that revised plan, we continue to explore the related process with the federal agencies.

There has been a great deal of speculation about the timing and direction of our revised proposal for the Saltworks. In evaluating a revised vision for the Saltworks, we have focused on the very unique history and character of this site. Activities ranging from agricultural production to disposal of dredge spoils from the initial digging for the Port of Redwood City fashioned the most highly disturbed and engineered nature of the

The Honorable Alicia Aguirre, Mayor THE CITY OF REDWOOD CITY May 4, 2012 Page 2

westerly most part of the site (within the present-day crystallizer beds) as early as the late 1800s. This area is the most heavily manipulated and has not been in any significant way a functioning part of San Francisco Bay for over 100 years. The easterly portion, however, remained largely undisturbed until much later and was constructed pursuant to a 1940 federal permit.

Reflective of this history, our revised plan for the Saltworks will be focused on a much more limited footprint restricted to the area of greatest historic disturbance. Accordingly, we anticipate that the revised proposed development footprint will be approximately half the acreage of that proposed in the May 2009 50/50 Plan submittal. Importantly, this area also is fully contained within the portion of the site currently designated "Urban Reserve" under the City's General Plan which, as you know, is for "land to be preserved for future use to expand the limits of the urbanized area of the City." (Redwood City General Plan, The Built Environment, Urban Form and Land Use, Page BE-41 (adopted October 11, 2010), emphasis added.)

The magnitude of change in the focus and footprint of this revised proposal is such a significant departure from the existing 50/50 proposal, and is so foundationally derived from the disturbance history of the site, that it must be considered in light of federal regulatory parameters. Accordingly, we feel any specific proposal back to the City would be premature until we better understand the regulatory implications of our revised vision.

Mayor Aguirre, we could not be more appreciative of the professional and courteous relationship with Redwood City – its citizens, City Staff, and its elected and appointed officials – that has matured over these past few years. The City's staff and officials have shown great commitment to the integrity of the process in evaluating the appropriate future use of this site. Given the critical importance of this site for the future of Redwood City, we also remain committed to being thoughtful and thorough in bringing our revised Saltworks proposal to the City.

To be clear, and to avoid any unnecessary confusion or distraction by the City, we hereby withdraw the May 2009 50/50 Balanced Plan proposal currently on file with the City in its entirety.

The Honorable Alicia Aguirre, Mayor THE CITY OF REDWOOD CITY May 4, 2012 Page 3

Should you or the City staff have any questions regarding this matter, please feel free to contact me.

Sincerely,

John Paul Bruno

General Manager and Senior Vice President

cc: City Council
Bob Bell, City Manager
Pamela Thompson, City Attorney
Bill Ekern, Community Development Director
Blake Lyon, Senior Planner
City Clerk